

# Rockville Zoning Ordinance Review

PROMOTING AN UNDERSTANDING OF THE ROCKVILLE ZONING ORDINANCE, PAST, PRESENT AND FUTURE

## Why Update Rockville's Zoning Ordinance Now?

The City's Zoning and Planning Zoning Ordinance is undergoing a major update and revision. The Ordinance, which is Chapter 25 of the City Code, was last updated in 1975. In those 30 years, many new zoning concepts such as floating zones, performance zoning, form-based codes, and the concept of New Urbanism have reshaped the urban planning field. The City's code needs to be revised to reflect these 21st Century concepts appropriate for a city that is maturing toward full development.

Rockville is fast becoming "built out," and there is very little undeveloped land left. The current zoning ordinance in many respects reflects development standards for a growing suburban community. Infill development and redevelopment of obsolete properties provide opportunities to remake its image, provided the appropriate zoning tools are available.

Since the outset of this project, the intent of this effort is to address the following:

### 1. The City's Values and Vision Have Changed.

Some rules and regulations, such as those regarding allowable densities, have become outdated. The vision of the draft ordinance now focuses on:

- Improving how pedestrians experience their neighborhoods and City centers
- Where appropriate, allowing a mix of compatible uses that make the City more sustainable
- Keeping the residential zones essentially as they are currently



### RORZOR: Who they were and how they helped

The draft Ordinance is the end product of the discussions of the **Representatives of Rockville Zoning Ordinance Review (RORZOR)** committee. The group consisted of citizens, business owners, and a land use attorney as well as members of the Planning Commission, Board of Appeals, and Mayor and Council. These 11 members met regularly for a year-and-a-half to guide staff in the creation of the Draft document.

The draft is a consensus document and no single member agreed

### 2. The City Wishes to Raise its Standards for the Built Environment.

Although there is quality development in Rockville today, the current ordinance does not directly address the quality and character of development. The proposed ordinance will set explicit standards for a higher quality built environment and help protect the natural environment. Future construction, especially in the City's major development areas, will be held to the highest standards by requiring:

- Appropriately scaled and attractive buildings
- Designs that better address the needs of pedestrians, and not just automobiles
- Publicly accessible open space
- Efficient and attractive parking facilities
- Safer, more inviting sidewalks
- Bicycle access and parking

### 3. The City Needs to Ensure a Simple, Accessible and Transparent Review Process.

Under the current zoning ordinance, Rockville's development process can be long and cumbersome. There are multiple paths that a development proposal can take, which is difficult for applicants and the public to follow. The revision will alleviate this by:

- Making the process for reviewing and approving development applications consistent
- Keeping the language easy to understand
- Requiring area (neighborhood) meetings before major development is proposed
- Providing clear instructions on how to implement draft standards in projects that have already been approved ■

with everything in the draft. Many compromises were made along the way. Ultimately the draft was presented to the community as a springboard for public comment. The committee's work is complete and will likely not meet again, but individual members are assisting with public outreach and may comment on the draft as individuals.

The City of Rockville would like to thank everyone involved on the committee for their time and effort toward this huge undertaking. ■

## What Zoning Is, And Isn't...

Zoning is one of the tools that the City uses to regulate development. The zoning ordinance establishes requirements for what types of uses can be allowed on a site, such as residential, commercial or industrial. Additionally, zoning establishes the general character of the development. This includes elements such as building heights, setbacks from the property lines and the amount of parking spaces required. Other parts of the City Code, outside of the Zoning Ordinance regulate matters such as stormwater controls, building permits, environmental regulations and tree preservation. All of these provisions work together to ensure that what is built is consistent with the City's master plan. Additionally, provisions must ensure safety and minimize negative impacts on the environment.

The City is divided into different zoning categories. Each property is

located in a zone (see map inside), or category that determines the types of uses allowed, minimum lot areas required, amount of lot area that can be covered by buildings and how the development should relate to the streets and neighboring properties, among other aspects.

The proposed new ordinance will follow this same pattern. However, many of the current zones, especially for commercial or industrial development, will be replaced with new mixed-use zones. These new zones are more flexible, helping the City achieve its vision for future development. The existing residential areas will largely retain their existing zoning. One new proposal is to create a Public Park zone that will be applied to all parkland within the City. This zone limits development to park and recreation-related uses. The proposed zoning map (on pages 2-3) will be applied throughout the City. ■

## Summary of Draft Zoning Ordinance: Significant Changes

Significant changes in the current zoning process are recommended in the proposed ordinance. These changes are intended to help accomplish the three major goals for the ordinance revision. Summarized below are some of the changes intended to meet these goals:

by limiting the amount of impervious area (buildings, driveways, patios, etc.) on single family residential lots

### Raise the Standards for the Built Environment

- Development standards and requirements for sidewalks have been revised to require wider sidewalks in commercial and mixed use areas
- New requirements for publicly-accessible open space in the new mixed-use zones have been proposed
- A new Public Park zone has been proposed which would encompass all City parkland

### Provide an Accessible and Transparent Review Process

- The maximum height proposed in high-density areas such as Town Center is 120 feet, as compared to 235 feet in the current ordinance
- Within the new mixed-use zones, design guidelines and standards are proposed to help ensure high-quality development
- A Landscaping, Screening and Lighting Manual is proposed to provide specific requirements for the types of screening and buffering needed, types of plant materials, screening of parking lots from residential areas, and lighting designs that do not impact surrounding neighborhoods
- The draft addresses "Mansionization" by reducing maximum building heights from 35 to 32 feet, and limiting floor area for homes in the R-60, R-75, and R-90 zones
- The draft also addresses residential neighborhood aesthetics and character

- The draft ordinance simplifies the development review process and requires area (neighborhood) meetings throughout the process
- The nine special development procedures (including optional method) in the current ordinance have been eliminated and replaced with one basic site plan review process ■

# A Comprehensive New Zoning Map For The City

The draft Zoning Ordinance text is a recommendation to create new land use zones while revising the regulations associated with them and to retain certain current zones. The draft Zoning Map shows where the zones are proposed throughout the City. New zones are proposed for approximately one-half of the City. These include the various mixed-use zones for commercial, office, and industrial areas; the planned development zones for those areas subject to one of the former special development procedures, and the new Public Park zone for the City's park areas.

## What's Next?

Tell the Planning Commission your comments and suggestions at the Planning Commission Public Hearing on **Wednesday, Jan. 23** in the Mayor and Council Chambers at City Hall beginning at 7 p.m. Following the hearing, the Planning Commission will recommend changes to incorporate the input into a new draft to be considered by the Mayor and Council.

You also can send the City your comments by E-mailing [zoning@rockvillemd.gov](mailto:zoning@rockvillemd.gov), mailing to the Department of Community Planning and Development Services, 111 Maryland Ave., Rockville, Md. 20850 Attn: Zoning Revision, or by calling 240-314-8200. Order a free copy of the Zoning Ordinance by calling the above number, or review the full document online at [www.rockvillemd.gov/zoning](http://www.rockvillemd.gov/zoning).

## How You Can Contribute to the Revising of the City's Zoning Ordinance and Map

The Mayor and Council and the Planning Commission recognize public input is essential in order to revise the City's Zoning Ordinance and Zoning map. Therefore, City staff has designed the revision process to provide many opportunities for public input and participation. City staff encourages citizen involvement in this process. Below illustrates the continued and ongoing development of the Zoning Ordinance Revision and explains how the public can become involved.

**OCTOBER 6, 2007**

**The Mayor and Council Authorize the Hiring of the citizens committee (RORZOR) Draft and Map**  
This is not an approval; rather it begins the formal public review process to begin on the draft as presented, acknowledging that changes will be made by the Planning Commission and Mayor and Council before adoption.

**OCT. 28, & NOV. 15, 2007; JAN. 10, 2008**

**Zoning Public Forums**  
Meetings held by staff and RORZOR to educate the public about the Draft Zoning Ordinance and Map and allow for public comment and questions

**OCT. 2007 TO JAN. 2008**

**Staff and RORZOR briefs Boards and Commissions, civic associations and other stakeholder groups about the Proposed Draft Ordinance and Map**

**JANUARY 23, 2008**

**Planning Commission Holds Public Hearing on the Draft Zoning Ordinance and Map**  
The public has the opportunity to testify on the Proposed Draft Ordinance. Sign-up to provide testimony by calling 240-314-8200.

**FEBRUARY-MARCH 2008**

**Planning Commission conducts work sessions to revise the proposed Draft. The Commission will recommend changes to the Draft, resulting in a new Draft that is presented to the Mayor and Council.**

**MAY 2008 (TENTATIVE)**

**Mayor and Council Holds Public Hearing on the Draft Zoning Ordinance and Map**  
The public has the opportunity to testify on the Planning Commission's Recommended Draft Ordinance. The public record for written comment will remain open until closed by the Mayor and Council.

**SPRING 2008**

**Mayor and Council conducts work sessions to consider changes to the draft**

**JUNE 2008**

**The Mayor and Council adopt the New Zoning Ordinance**  
After adoption of the new ordinance, the new rules and map will go into effect and the development recordation will be filed.

## Proposed Zoning

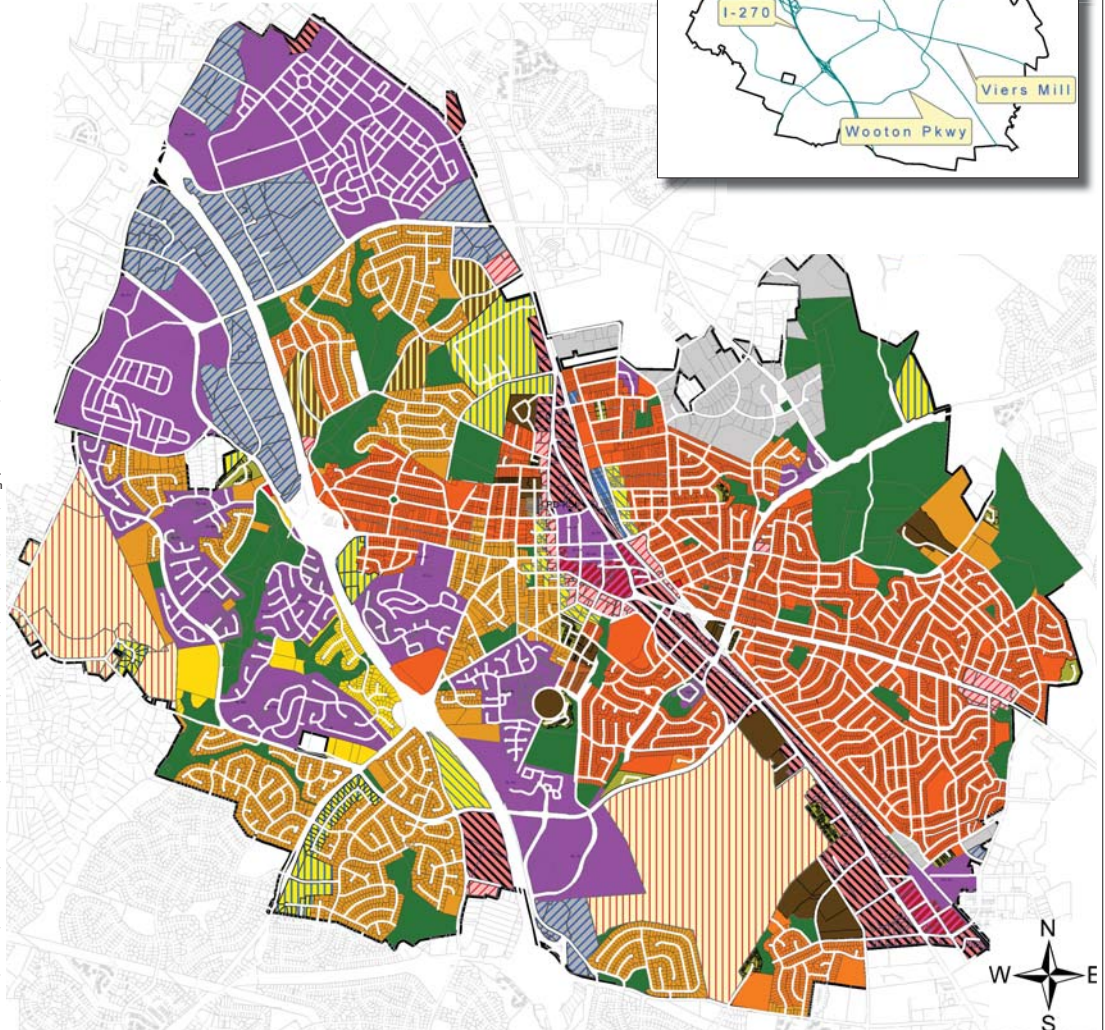
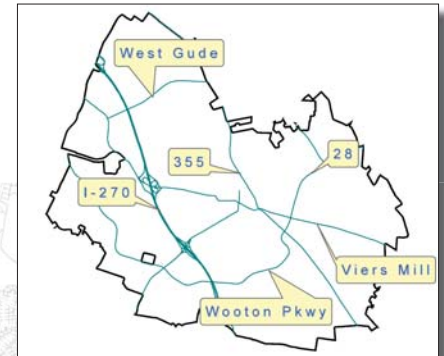


## QUICK REFERENCE TO TERMS:

**C:** Commercial  
**PD:** Planned Development  
**IL:** Light Industrial  
**IH:** Heavy Industrial  
**R:** Residential zone  
(# corresponds to density)  
**RMD:** Residential moderate density  
**MXT:** Mixed Use Transitional  
**MXNC:** Mixed Use Neighborhood Commercial  
**MXB:** Mixed Use Business  
**MXE:** Mixed Use Employment  
**MXCD:** Mixed Use Corridor District  
**MXTD:** Mixed Use Transit District

## KEY TO TERMS DEFINED:

ZONE	DESCRIPTION	EXAMPLE
C	Commercial: commercial uses that are less than 5 acres	South Stonestreet commercial retail
PD	Planned Development: developments in Rockville approved using special development procedures that allowed developers to implement better comprehensively planned, designed, and integrated communities than would have been allowed by the original zone	King Farm, Rockshire, Falls Grove, New Mark Commons
IL	Light Industrial: Lower impact industrial zone	Businesses located along Southlawn and Lofstrand Lanes
IH	Heavy Industrial: Higher impact industrial zone	None in the City currently; future annexations may create need in the Gude/Southlawn area
R	Residential (# corresponds to density): Low density single family residential zones (R-60, R-75, and R-90)	Twinbrook, West End, College Gardens neighborhoods
RMD	Residential, Moderate Density: Townhouse and garden apartment communities	College Square condominiums, The Forest apartments
MXT	Mixed Use Transitional: Areas that are located between moderate or high-density development and single-unit detached residential neighborhoods. Allows for development of low-density multi-unit and townhouse residential development.	East side of North Stonestreet Avenue industrial area (proposed)
MXNC	Mixed Use Neighborhood Commercial: Areas that are currently developed or recommended for development primarily for local retail and service uses within or in close proximity to single-unit detached residential uses. Allows for low to moderate density development of retail, service, office, and residential uses.	Twinbrook Shopping Center, College Plaza (proposed)
MXB	Mixed Use Business: Areas that are either currently developed or recommended for development primarily for retail sales, neighborhood services and compatible residential development. This zone allows for low to moderate density development of retail, service, office, and residential uses.	West side of North Stonestreet Avenue industrial area (proposed)
MXE	Mixed Use Employment: Areas that are either currently developed or are recommended for development primarily for office, light industrial, and industrial park uses. Allows for medium density office, retail and residential uses.	Research Boulevard/Piccard Drive corridors (proposed)
MXCD	Mixed Use Corridor District: Areas along the major highway corridors outside of MXTD zone areas; allows for medium density retail, office, and residential uses	Rockville Pike corridor
MXTD	Mixed Use Transit District: Areas near Metro stations; allows for high-density retail, office, and residential uses; consistent with the recommendations of the Town Center Master Plan and the Rockville Pike Corridor Master Plan.	Rockville and Twinbrook Metro station areas





# Three Prominent Issues with City Zoning

During the course of civic discussion mansionization, mixed use zoning and planned developments were the most challenging to consider and to achieve consensus. These three issues, and how they are addressed in the draft, are illustrated below. To learn more about other issues, visit the City's Web page [www.rockvillemd.gov/zoning/summaries](http://www.rockvillemd.gov/zoning/summaries), or at City Hall's planning counter (111 Maryland Ave.).

## Addressing 'Mansionization' Through Zoning

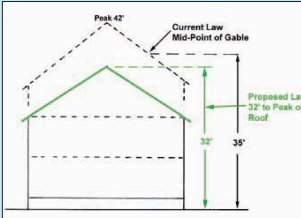
"Mansionization" is the process whereby existing single-family, detached homes are demolished or enlarged to create houses that are significantly larger than the original. Mansionization can occur on infill lots where new houses do not conform to the character of the neighborhood. It is usually caused by a desire for modern amenities, such as large kitchens, cathedral ceilings, walk-in closets, and multiple bathrooms, that may not exist in older homes. This trend is a growing concern across the U.S. and has already had a great impact in existing Rockville neighborhoods where vacant property is unavailable. The changes proposed would only be applied to the R-60, R-75, and R-90 zones.

Proposed Changes that would reduce the possibility of Mansionization:

- Measure the height from the average of the pre-existing grade at the front wall of the house to the peak of the roof. (Currently height is measured to the mid point of the gable)
- The maximum height allowed for a house in these zones is 32 feet
- The Chief of Planning may allow added height up to 35 feet at the peak of the roof if height is deemed compatible considering the conditions of the site and surrounding area
- Establish a Floor Area Ratio (FAR) of 0.35, or 3,000 sq. ft., whichever is larger (see diagram at right)
- The Planning Commission may allow an FAR up to 0.5 with Site Plan Approval ■

### Mansionization by Definition:

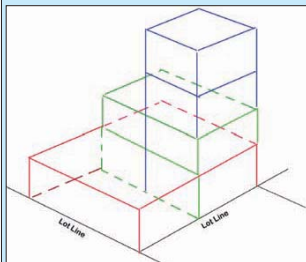
The process where existing single-family, detached homes are demolished or enlarged to create houses that are several times larger than the originals. Mansionization also occurs on infill lots where new houses do not conform to the character of the neighborhood.



Current law and proposed law on 'mansionization.'



The house to the left has been substantially altered from its original form, which was architecturally similar to the house on the right



Floor Area Ratio (FAR) Diagram. Each color represents 1 FAR.

## Mixed Use

Mixed-use zones permit a variety of uses within allowable building envelopes, which can include residential, offices, and retail sales, and in certain zones light industrial uses. To achieve the intent of the recommendations of the master plan, each mixed-use zone contains different sets of standards and requirements to respond to the needs of individual neighborhoods and the proximity to transportation infrastructure, among other considerations. ■

## Planned Developments

Some of the developments in Rockville were approved using special development procedures that allowed developers to implement better-designed, more integrated communities than would not have been allowed by the original or base zone. As a result, these special developments may have little or no relation to the underlying zone and its associated requirements. These areas account for about 1/3 of the development in the City and therefore needed to be addressed in the new Zoning Ordinance.

Planned developments will be placed in new zones that will rely on the regulations and standards outlined by their resolutions (official approvals made by the Mayor and Council), approved plans, as well as the language of the Zoning Ordinance. The purpose of creating these new zones is not to change the environment. Instead, the language and organization of the code will change, making it easier to read and administer.

Resolutions will be located in an appendix of proposed ordinance to make the regulations easier to find and interpret by both staff and applicants. Because each of these residential developments was approved on a case-specific basis, each zone will be unique. Therefore, each development will be in its own zone with its own regulations. ■

### Mixed Use by Definition:

The process of permitting a variety of uses within the allowable building envelopes, which can include residential, offices and retail sales, and in certain zones light industrial uses.

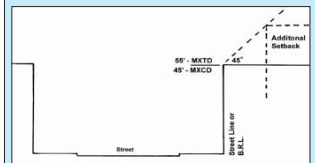


Mixed Use Infill Development (Portland, Oregon)

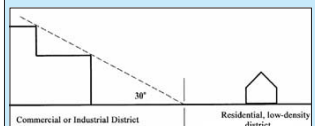


Main Street in Kentlands, where the left side of the street is mixed-use and the right side of street is residential.

### New Design Guidelines



Additional Upper-Story Setback.



Layback Slope



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King Farm, Rockville's first planned development that utilized neo-traditional ideals is an award winning community.